

1 #65746-3-104
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8 Attorneys for Defendants,
9 DAVID MENDEZ, MIKE D'ANTONIO

E-FILED - 5/12/08

10
11 IN THE UNITED STATES DISTRICT COURT
12 FOR THE NORTHERN DISTRICT OF CALIFORNIA
13
14 SAN JOSE DIVISION

15 DWIGHT WATSON; DANIEL FARIAS;) Case No. C06 07767 RMW RS
16 LAUREN WATSON; AND NICOLE)
17 WATSON,)
18 Plaintiffs,) STIPULATION OF DISMISSAL
19 vs.) OF DEFENDANT, DAVID
20) MENDEZ; ORDER
21)
22 GLENN ALBIN; DAVID MENDEZ;)
23 FRANK ST. CLAIR; MIKE) JURY TRIAL DEMANDED
24 D'ANTONIO; MIKE RUBINO; SANTA)
25 CLARA COUNTY; STATE OF)
26 CALIFORNIA; AND DOES 1-50,)
27 Defendants.)
28

29
30 DWIGHT WATSON, DANIEL FARIAS WATSON, LAUREN WATSON and NICOLE
31 WATSON, Plaintiffs, and their attorneys, and Defendant, DAVID
32 MENDEZ, by and through his counsel, stipulate as follows:

33 1. Plaintiff will voluntarily dismiss the above-captioned
34 federal court case, without prejudice, as to Defendant, DAVID
35 MENDEZ, only.

36 2. Defendant will not seek recovery of any attorneys' fees or
37 costs incurred in the defense of this case to date as a result of

1 Plaintiffs' voluntary dismissal of the federal court case.

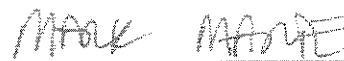
2 3. Each side will bear all of their own attorneys' fees and
3 costs.

4 IT IS SO STIPULATED.

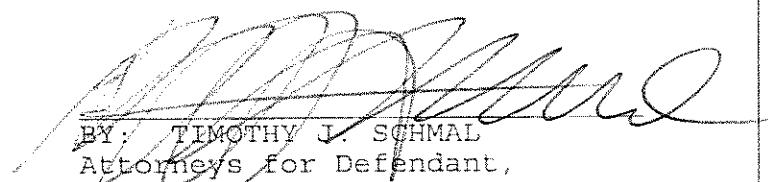
5 Date: 4-25-08

6 
7 BY: DWIGHT WATSON, on behalf
8 of Plaintiffs, DWIGHT WATSON, and
9 his children, DANIEL FARIAZ WATSON,
10 LAUREN WATSON, NICOLE WATSON.

11 Date: 4-28-08

12 MARK MARTEL LAW OFFICES
13 
14 BY: MARK MARTEL
15 Attorneys for Plaintiffs,
16 DWIGHT WATSON, DANIEL FARIAZ WATSON,
17 LAUREN WATSON, NICOLE WATSON.

18 Date: 5/1/08

19 BURTON, VOLKMANN & SCHMAL, LLP
20 
21 BY: TIMOTHY J. SCHMAL
22 Attorneys for Defendant,
23 DAVID MENDEZ.

24 ORDER
25

26 IT IS SO ORDERED.

27 Date: 5/12, 2008

28 
THE HONORABLE RONALD M. WHYTE,
UNITED STATES DISTRICT JUDGE.